

**CHAPTER NO. 909**

**HOUSE BILL NO. 2790**

**By Representatives Cross, Boyer**

**Substituted for: Senate Bill No. 2993**

**By Senator Gilbert**

AN ACT to amend Tennessee Code Annotated, Section 70-4-102(c); Section 70-4-201(d); Section 70-6-202(b) and Title 70, Chapter 1, Part 1 relative to fish and wildlife violations.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. That Tennessee Code Annotated §70-4-102 is amended by deleting the language contained in subsection (c) and by substituting instead the following new language:

(c) A violation of this section is a Class B misdemeanor.

SECTION 2. That Tennessee Code Annotated Section 70-4-201 is amended by adding the following phrase to the end of the last sentence in subsection (d):

; except that any violation of this section involving wildlife valued at five hundred (\$500.00) dollars or more is a Class E felony.

SECTION 3. Tennessee Code Annotated, Section 70-6-202, is amended by adding the following sentence at the end of subsection (b):

Provided however, notwithstanding any other provision of the law to the contrary, any truck, automobile, boat, airplane or other vehicle seized and forfeited under the provisions of subsection 70-6-202(a) may be used, with the approval of the executive director, by wildlife officers, to enforce the fish and wildlife laws, for a period not to exceed two (2) years, provided that the seized item is similar in kind and not substantially greater in value than like equipment that is procured and used by the Wildlife Resources Agency in its operations.

SECTION 4. Tennessee Code Annotated, Section 70-4-201(b), is amended by inserting the language "with the intent to sell, barter or transfer for any consideration" between the word "possession" and the word "of".

SECTION 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 6. This act shall take effect on July 1, 1998, the public welfare requiring it.

PASSED: April 22, 1998

  
JIMMY RAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

APPROVED this 7<sup>th</sup> day of May 1998

  
DON SNOGRASS, GOVERNOR